

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 18-2670 MV

TASHQUIN DAVIS,

Defendant.

ORDER FOR PSYCHOLOGICAL EVALUATION

THIS MATTER is raised by the Court *sua sponte*. The Court, in preparing for sentencing, and after review of a psychological evaluation, expressed concerns about certain issues that were not addressed in the evaluation, specifically visual and auditory hallucinations that the defendant has experienced in the past and present that require further investigation through a comprehensive psychological evaluation of Defendant. The Court finds that such an evaluation will assist the Court with sentencing in accordance with 18 U.S.C. §3553(a).

IT IS THEREFORE ORDERED that a comprehensive psychological evaluation of Defendant be performed. The evaluation shall include, but is not limited to, a review of Defendant's prior hospitalizations and any other assessments that may have previously been completed.


IT IS FURTHER ORDERED that Dr. Mercedes Marshall shall conduct the psychological evaluation on the Defendant, and shall prepare a written report for the Court. Copies of the evaluation shall also be given to counsel in this case.

IT IS FURTHER ORDERED that defense counsel shall provide Dr. Marshall with a copy of this order and make arrangements for Dr. Marshall to examine Defendant.

IT IS FURTHER ORDERED that, pursuant to Rule 12.2(c) of the Federal Rules of Criminal Procedure, neither any statement made by Defendant in the course of this examination, nor testimony by the expert based upon such statement, and no other fruits of the statement shall be admitted in evidence against Defendant in any criminal proceeding except on an issue respecting mental condition on which Defendant has introduced testimony.

IT IS FURTHER ORDERED that the cost of the evaluation and Dr. Marshall's hearing testimony, if necessary, shall be paid by the Department of Justice through the U.S. Attorney's office in accordance with the Guide to Judiciary Policy, Vol. 7, Defender Services §320.20.20(b).

DATED: October 11, 2019.



MARTHA VAZQUEZ
UNITED STATES DISTRICT JUDGE

AUSA Joseph Spindle
Attorney for Plaintiff

AFPD Kari Converse
Attorney for Defendant